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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/625,762	07/26/2000	Hideto Horikoshi	JA919990082US1	8025

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EXAMINER
HARRY, ANDREW T

ART UNIT	PAPER NUMBER
2686	19

DATE MAILED: 07/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/625,762	HORIKOSHI ET AL.	
	Examiner	Art Unit	
	Andrew T Harry	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 April 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9-11 and 14-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,9-11 and 14-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 July 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response to Arguments

In view of the Appeal Brief filed on April 21, 2003, PROSECUTION IS HEREBY REOPENED. New groiunds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 9-11, 14, and 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by ***Wecker et al*** **U.S. Patent 6,289,464** ("*Wecker*").

As pertaining to **claim 1**, *Wecker* teaches a method for receiving a wireless signal by a computer adapted to operate in a power saving mode (see *Wecker*, abstract), said method comprising the steps of:

detecting within a computer a wireless signal representing a bit sequence when said computer is operating in a power-saving mode, wherein said wireless signal is targeted for said computer (see *Wecker*, col. 9 lines 1-28);

exiting power-saving mode automatically in response to said wireless signal (see *Wecker*, col. 9 lines 29-42).

regenerating some or all of said bit sequence of said wireless signal (see *Wecker*, col. 9 line 43-col. 10 line 59); and

storing said some or all of said bit sequence of said wireless signal in a memory after exiting said power-saving mode (see *Wecker*, col. 11 lines 24-40 and col. 13 lines 45-65).

As pertaining to **claim 2**, *Wecker's* method includes the steps of:

determining whether a wireless signal receiver device is installed and enabled by reading a plurality of status signals (see *Wecker*, col. 6 line 57-col. 7 line 21); and

exiting said power-saving mode only if said wireless signal receiver device is installed and enabled (see *Wecker*, col. 9 line 1-col. 10 line 59, *Wecker* describes that signals received through the wireless receiver are capable of awaking the deice if the receiver is installed and connected to the devices processor).

As pertaining to **claim 3**, in *Wecker's* method said detecting further includes detecting a particular identification tag embedded in said bit sequence (see *Wecker*, col. 9 lines 13-28, and address is included in the received messages and read by the receiver).

As pertaining to **claim 4**, in *Wecker's* method the wireless signal is transmitted though a radio frequency channel (see *Wecker*, col. 6 lines 57-62).

As pertaining to **claim 5**, in *Wecker's* method the wireless signal can be a "high priority" message and thus inherently include a request for the computing device to exit said power-saving mode (see *Wecker*, col. 9 lines 36-42 and col. 10 lines 22-27).

As pertaining to **claim 6**, in *Wecker's* method said bit sequence may include a request to continue execution of a program that is suspended while said computer is in said power-saving mode (see *Wecker*, col. 13 lines 45-65, *Wecker* describes that once the information is stored in the device it can be used by "higher level application modules" that were inactive prior to the device receiving the wireless signal).

As pertaining to **claim 7**, in *Wecker's* method said computer comprises a receiving means for detecting said wireless signal (see *Wecker*, col. 6 line 57-col. 7 line 21), and said computer further comprises a switch for maintaining power to said receiving means while operating in power-saving mode (see *Wecker*, col. 7 lines 22-46), and further comprising the step of:

setting said switch to maintain power to said receiving means prior to entering said power-saving mode (see *Wecker*, col. 7 lines 22-46 and col. 8 lines 44-67, here *Wecker* describes that while the power switch of the device is on the receiver is on regardless of device mode and when the power switch is off, the receiver is off).

As pertaining to **claim 9**, *Wecker's* method includes the steps of:

processing information conveyed by said bit sequence (see *Wecker*, col. 9 line 43-col. 10 line 59); and

returning to said power saving mode (see *Wecker*, col. 9 line 43-col. 10 line 59, once the information is processed the device, if inactive, may return to the power saving mode the same way it had entered it previously).

As pertaining to **claims 10 and 17**, *Wecker* teaches a computer for receiving a wireless signal while in a power-saving mode (see *Wecker*, abstract), said computer comprising:

a receiving means adapted to detect a wireless signal representing a sequence of bits, wherein said receiving means is adapted to regenerate some or all of said bit sequence, wherein said wireless signal is targeted for said computer (see *Wecker*, col. 9 line 1-col. 10 line 59);

a power-saving mode control means adapted to exit said power-saving mode in response to a detection of said wireless signal when a computer is in said power-saving mode (see *Wecker*, col. 9 lines 29-42, a high priority message is capable of waking up the mobile devices processor).

a switch for enabling power to said receiving means when said computer is in said power-saving mode (see *Wecker*, col. 7 lines 22-46 and col. 8 lines 44-67, here *Wecker* describes that while the power switch of the device is on the receiver is on regardless of device mode and when the power switch is off, the receiver is off); and

a memory for storing said some or all of said regenerated bit sequence after said computer has exited said power saving mode (see *Wecker*, col. 11 lines 24-40 and col. 13 lines 45-65, the but sequence is not only stored is processed and potentially displayed on the device).

As pertaining to **claim 11**, *Wecker's* computing device includes:

one or more status indicators for indicating whether said receiving means is installed an enabled (see *Wecker*, col. 6 line 57-col. 7 line 21); and

wherein said power-saving mode control is adapted to exit said power-saving mode only if said one or more status indicators show that receiving means is installed and enabled (see *Wecker*, col. 9 line 1-col. 10 line 59, *Wecker* describes that signals received through the wireless receiver are capable of awaking the deice if the receiver is installed and connected to the devices processor).

As pertaining to **claim 14**, in *Wecker's* device said receiving means is an optional attachment to said computing device (see *Wecker*, col. 4 lines 33-42).

As pertaining to **claim 18**, *Wecker's* device further includes:

means for disabling at least one power source when said computer is in said power-saving mode (see *Wecker*, col. 7 lines 22-32, the power source to everything except the receiver is disabled), wherein said receiving means asserts a wake up signal to said control means to indicate said detected wireless signal is targeted for said computer (see *Wecker*, col. 9 lines 29-42, if the message is "high priority" power is restored to the other sections of the computing device); and

a power management circuit to enable at least one power source, in response to said asserted wake up signal (see *Wecker*, col. 9 lines 43-col.10 line 59, the power source is enabled to send power to the computing device).

As pertaining to **claim 19**, in *Wecker's* device said receiving means could be an option card coupled to said computer through an option card bus slot (see *Wecker*, col. 6 line 57-col. 7 line 20, *Wecker* describes that the PCMCIA standard is used to connect the receiver and this standard typically uses a card to connect a device to a wireless network).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Wecker*.

As pertaining to **claims 15 and 16**, *Wecker* does not specifically describe how the receiving means is formed or attached to the computing device. However it would have been obvious to one of ordinary skill in the art at the time of the invention that a device bay cover as an optional attachment could have been used to connect the wireless receiver to the computing device. *Wecker* describes that the computing device could be connected to networks in various different configurations (see *Wecker*, col. 4 lines 34-42), thus indicating that various connections could have been added to and detached from the device. A simple design choice could have been made to make the attached receiver be attached via an optional device bay cover, and the addition or deletion of this bay cover alone would not make the claimed invention patentable over *Wecker*.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

B. Willey U.S. Patent 6,505,058 teaches a method for determining whether to wake up a mobile station.

C. Gibbons et al. U.S. Patent 6,347,236 teaches a remote wireless unit having reduced power operating mode for a discrete multitone spread spectrum communications system.

D. Lee et al. U.S. Patent 6,570,507 teaches a method and system for assigning unique identity codes to remote controllers and conserving power based on the unique identity codes.

E. Den et al. U.S. Patent 5,742,833 programmable power management system and method for network computer stations.

F. Obright U.S. Patent 5,752,202 teaches a method of message delivery adapted for a power conservation system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew T Harry whose telephone number is 703-305-4749. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

ATH
June 25, 2003

WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600